



Environmental Planning Commission

***Agenda Number: 5
Project Number: 1008069
Case Number(s): 09EPC-40063/40064
December 17, 2009***

Staff Report

<i>Agent</i>	Joshua Skarsgard, Esq.
<i>Applicant</i>	Resolution Equities, LLC
<i>Request(s)</i>	Site Development Plan for Subdivision Site Development Plan for Building Permit
<i>Legal Description</i>	Lots 13, 20 and 21, Block 10, Tract 2, Unit 3, North Albuquerque Acres
<i>Location</i>	Holly Ave. and Paseo del Norte, west of Wyoming Blvd. NE
<i>Size</i>	Approximately 2 acres
<i>Existing Zoning</i>	SU-2/MU Mixed Use
<i>Proposed Zoning</i>	same

Staff Recommendation

APPROVAL of 09EPC 40064, SDP for Subdivision, based on the Findings beginning on Page 22, and subject to the Conditions of Approval beginning on Page 24.

APPROVAL of 09EPC 40063, SDP for Building Permit, based on the Findings beginning on Page 26, and subject to the Conditions of Approval beginning on Page 29.

Staff Planner

Carol Toffaleti, Planner

Summary of Analysis

The dual request is a site development plan for subdivision and for building permit for lots 13, 20 and 21, Block 10, Tract 2, Unit 3, North Albuquerque Acres, a site of approximately 2 acres zoned SU-2/MU, located on Holly Ave. and Paseo del Norte, west of Wyoming Blvd. NE. The three lots would be consolidated into two lots accessed from Holly. The larger lot on Paseo del Norte would be developed with a 4,000 sf sit-down restaurant and an 8,288 sf retail building. The northern lot would be developed in the future.

The site is in the Developing Urban Area of the Comprehensive Plan and the La Cueva sector development plan area. Lots 13 and 20 are within the La Cueva Community Activity Center and Paseo del Norte is an Express Corridor.

The project is consistent with a preponderance of applicable goals and policies of the Comprehensive Plan and the La Cueva sector plan. It complies with most but not all applicable regulations of the sector plan and Zoning Code.

There is no known opposition to the project.

Location Map (3" x 3")

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	SU-2/MU Mixed Use	Developing Urban Area; La Cueva sector development plan (Rank III)	undeveloped
<i>North</i>	SU-2/MU	same	undeveloped (lot 20 north of Holly, and lot 12 north of lot 21 of subject site)
<i>South</i>	SU-1 Mausoleum & Cemetery	Established Urban Area	cemetery
<i>East</i>	of lot 13: SU-2/MU of lot 20: C-1	Developing Urban Area; La Cueva sector development plan (Rank III)	undeveloped Paseo Village retail center
<i>West</i>	SU-2/MU	same	undeveloped

Background

The dual request is a site development plan for subdivision (SDPS) and a site development plan for building permit (SDPBP) for lots 13, 20 and 21, Block 10, Tract 2, Unit 3, North Albuquerque Acres, a site of approximately 2 acres zoned SU-2/MU, located on Holly Ave. and Paseo del Norte, west of Wyoming Blvd. NE. The applicant proposes to reconfigure the three lots into two lots. The larger lot to the south would face Paseo del Norte and the smaller lot to the north would face Holly Ave, with a shared access off Holly Ave. Development is proposed on the southern lot consisting of a shared access drive, a 4,000 sf restaurant and an 8,288 sf retail building. The northern lot would be developed in the future for a retail or restaurant use.

The subject site is in the Developing Urban Area of the Comprehensive Plan and within the boundaries of the La Cueva sector development plan (LCSDP). Wyoming Blvd. is an Enhanced Transit Corridor and Paseo del Norte an Express Corridor, as designated in the Comprehensive Plan. Lots 13 and 20 of the subject site are within the La Cueva Community Activity Center, designated in the Comprehensive Plan.

The subject site was included in a TIS dated 7/29/2004 and entitled Plaza at La Cueva.

The submittal is complete, except that City Legal Staff concur with Current Planning that the documents establishing the applicant's financial interest in the property should be recorded in the County Clerk's Office prior to DRB sign off, as recommended in a condition.

History

The subject site was part of 600 acres that were annexed into the city in 1995 by the NM State Boundary Commission. The annexed land covered the area from Florence to Palomas (north to south), and from Ventura to Louisiana Blvd. (east to west). The City established R-D zoning for much of the area, including lots 20 and 21 of the subject site (C/S O-1, Enactment 25-1996, in Appendix A of the LCSDP, p. 1, line 19). Lot 13 of the subject site, however, was within the areas where property-owners had requested alternative zoning (*idem*, p. 2, line 9). Lots 20 and 21 were rezoned SU-2/MU with adoption of the La Cueva sector development plan in June 2000. Later that year, the City Council upheld the EPC's recommendation not to accept the request for alternative zoning on lot 13 and it was also zoned SU-2/MU (Z-99-27, Council Bill 0-91, 6/19/2000).

The adjoining property to the east at the corner of Wyoming and Paseo del Norte, Tract A, was also among the areas identified for possible alternative zoning to R-D. C-1 zoning for the property was approved by the City Council in 1999 (Z-98-110, Council Bill 0-106, 8/16/1999), i.e. prior to adoption of the sector plan. The property was subsequently replatted (#1000946, DRB 00440-01679, 1/5/2001) and developed as a retail plaza.

In 2005, a request for a zone change and site development plans on 8 acres, that included the subject site, was withdrawn (#1003532, 04EPC-01036, -01037, -01040, -01039, 3/17/2005). Last month at the November hearing, the EPC denied a project with the same number. The denied request was for a zone change and site development plan to build a small shopping center and a drive-in restaurant on the north side of Holly (#1003532, 09EPC-40028, -40034, 11/19/2009). The action was not appealed.

Context

Lot 13 of the subject site has frontage and access on Holly Ave. Lots 20 and 21, to the south and southwest, face Paseo del Norte but have no direct vehicular access to this state highway (NM 423), because it is not allowed at mid-block. Paseo del Norte has 3 lanes in each direction divided by a wide median. North of Holly Ave. is undeveloped land zoned SU-2/MU. South of the subject site across Paseo del Norte is a cemetery, zoned SU-1 for that purpose. East of lot 13 is undeveloped land (lot 14) in the same ownership as the subject site zoned SU-2/MU. East of lot 20 is the retail plaza zoned C-1 at the northwest corner of Wyoming and Paseo. It is the smaller of three shopping centers at this intersection. West of the subject site is an undeveloped (lot 22) which is also owned by the applicant.

The subject site is part of an elongated block that extends from Louisiana to Wyoming. Both ends are developed with retail uses, and a church and related facility occupy two middle lots. There is a single family home and a mobile home on the north side of Holly that appear to pre-date annexation of the area. Most of the SU-2/R-2 zoned land north of Holly is otherwise undeveloped. The next block to the north is the North Domingo Baca city park, covered by a master plan approved by the EPC. A skatepark has been built and a multi-generational community center is under construction. The areas north and west of the park contain residential

subdivisions. Paseo del Norte creates a strong physical separation between the neighborhoods to the north and south.

Long Range Roadway System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The Long Range Roadway System designates Paseo del Norte as a Limited-Access Principal arterial, with a right-of-way of 156'.

The Long Range Roadway System designates Wyoming Blvd., north and south of Paseo del Norte, as a Principal Arterial. The section from Domingo Baca Arroyo to Paseo del Norte has a right-of-way of 156'.

Holly is a major local street with a right-of-way of 60'.

The Long Range Bicycle Plan designates existing bike lanes on Wyoming Blvd. north of Paseo. In fact, they only exist north of Holly Ave. The 2009 City of Albuquerque Bicycle Map also shows a continuous multi-purpose trail along the east side of Wyoming Blvd. connecting with a trail on Paseo that heads east from the intersection.

Public Facilities/Community Services

North Domingo Baca city park, Fire Station 20, and La Cueva High School are within ½ mile of the site. Edmund G. Ross and Dennis Chavez Elementary and Desert Ridge Middle School and several smaller city parks are within 1 mile of the site.

ABQ Ride: the #31 Wyoming Blvd. runs 7 days a week and Commuter #98 Wyoming runs weekdays. North and southbound bus stops are located in close proximity to the site, just north of the Holly/Wyoming Blvd. intersection.

ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The site is zoned SU-2/MU Mixed Use.

SU-2 refers to a Special Neighborhood Zone in the Zoning Code (14-16-2-23), which includes the following section: “(A) *Permissive Uses and Control*: ...Specifications contained in the Sector Development Plan shall control.”

In this case the Special Neighborhood Zone is regulated by the La Cueva sector development plan. Development of non-residential properties zoned SU-2 require EPC approval of a site development plan and landscaping plan. The proposed retail and restaurant uses are permissive in the SU-2/MU zone, which corresponds to C-1 in the Comprehensive Zoning Code with some exceptions. A development proposal for lot 13 would also be reviewed by the EPC.

Albuquerque / Bernalillo County Comprehensive Plan

Policy Citations are in Regular Text; ***Staff Analysis is in Bold Italics***

The subject site is located in the area designated *Developing Urban* by the Comprehensive Plan with a Goal to “create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”

The dual request offers an additional choice of restaurant and expands retail space near a major intersection in the Far Northeast Heights. The proposed architecture is visually pleasing when viewed from Paseo del Norte. The project is consistent with the goal.

Applicable policies include:

Policy II.B.5.d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

The location and moderate intensity of the proposed development respect the values of the surrounding neighborhoods. Although the proposed one-story development on lot 20 does not obstruct scenic resources, the design takes little advantage of views to the Sandia Mountains, a scenic resource. The Site Development Plan for Subdivision (SDPS) furthers the policy. The Site Development Plan for Building Permit (SDBP) partially furthers the policy.

Policy II.B.5.e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

The new development is on land that is contiguous to existing urban facilities and services. There are two residences in an R-2 zone northwest of the site that is otherwise undeveloped, while existing residential subdivisions are at a considerable distance from the site. Their integrity will not be harmed. The dual request furthers the policy.

Policy II.B.5.j: Where new commercial development occurs, it should generally be located in existing commercially zoned areas as follows:

- In small neighborhood-oriented centers provided with pedestrian and bicycle access within reasonable distance of residential areas for walking or bicycling.
- In larger area-wide shopping centers located at intersections of arterial streets and provided with access via mass transit; more than one shopping center should be allowed at an intersection only when transportation problems do not result.

...

The commercial development is proposed in an area zoned for mixed uses. Most of the site is within a designated Community Activity Center. The dual request furthers the policy.

Policy II.B.5.k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

The land has frontage on Paseo del Norte, a principal arterial, but has no vehicular access to it. The site is covered by a Traffic Impact Study completed in 2004 that was verified by the

Traffic Engineer in relation to the current project. Access and circulation for the development are designed to connect with adjoining properties, also zoned for commercial or mixed use, which can help diffuse traffic flows onto Holly Ave from the site. The affected residential neighborhood associations do not consider that the project will undermine the livability and safety of their areas. The dual request is consistent with the policy.

Policy II.B.5.1: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

The proposed buildings are on the same axis as the adjacent building in the Paseo Village shopping center, which will create the effect of a strip mall. The traditional architectural style is not innovative or particularly suited to this newer developing area of the city. However, the main frontages are varied and well-articulated, and the colors and materials are of quality and compatible with the adjacent shopping center. The SDPBP furthers the policy.

Policy II.B.5.m: Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

The proposed one-story buildings maintain vistas from Paseo del Norte and from surrounding areas. The facades visible from the arterial are attractive, but those facing Holly lack visual interest. The SDPBP partially furthers the policy.

Activity Centers

Goal: To expand and strengthen concentrations of moderate and high-density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs, and which enhance the identity of Albuquerque and its communities.

Policy II.B.7.a: Existing and proposed Activity Centers are designated by the Comprehensive Plan map (Figure 20)* where appropriate to help shape the built environment in a sustainable development pattern, create mixed use concentrations of interrelated activities that promote transit and pedestrian access both to and within the Activity Center, and maximize cost-effectiveness of City services. Table 10 specifies policy objectives for each type of Activity Center. Policy objectives specific to this request are:

(*Boundaries of Activity Centers shown on the Plan map are not official, but merely indicate where non-residential use and/or Zoning meet the edge of residential use and/or Zoning, and where interrelated activities exist within walking distance of one another.)

Community Activity Center description:

Purpose: Provides the primary focus for the entire community sub-area with a higher concentration and greater variety of commercial and entertainment uses in conjunction with community-wide services, civic land uses, employment, and the most intense land uses within the community sub-area.

- Access:
 - Very accessible by automobile
 - ...
 - The interior of the center should be very accommodating to the pedestrian, even within the predominantly off-street parking areas

- Land Uses:
 - Core Area: 15-60 acres + adjacent contributing uses
 - Limited floor area per building
 - Examples of typical uses: low-rise office, public & quasi-public uses (e.g. post office, library), entertainment (restaurants, theaters, etc.), hotel/motel, shelter care, medical facilities, education facilities, large religious institutions, medium density residential, middle/high school, senior housing, community or senior center, park-and-ride facility under certain conditions
- Scale:
 - Some larger parcels, but heavily punctuated with fine grain, smaller parcels; very walkable
 - 2-3 story; moderate floor area ratios (.3 to 1.0); connections between buildings and to sidewalks; more than one façade; buildings separate off-street parking from the street
 - Predominantly off-street parking; site circulation plan is important to avoid conflict between pedestrian and auto; parking in lots or structures; pedestrian paths between parking & bldg.; bicycle parking is encouraged
 - Public plaza/open space should be provided

The La Cueva community activity center contains North Domingo Baca park, a multi-generational community center (under construction), fire station, bank and other shopping centers accessed from Wyoming Blvd. La Cueva high school and a planned residential development on the east side of Wyoming are contributing uses. Most of the area on the west side of Wyoming within the activity center remains undeveloped. The dual request creates a moderate density retail center at the southwest edge of this center. It has good access by car and includes pedestrian connections, both internal and external. The dual request furthers the goal and policy objectives.

Developed Landscape

Goal: To maintain and improve the natural and the developed landscapes' quality.

Policy II.C.8.a: The natural and visual environment, particularly features unique to Albuquerque, shall be respected as a significant determinant in development decisions

Policy II.C.8.d: Landscaping shall be encouraged within public and private rights-of-way to control water erosion and dust, and create a pleasing visual environment; native vegetation should be used where appropriate.

The landscape palette consists of mostly drought-resistant species, including several native plants. The future pad site will be stabilized and enhanced with native ground cover. The street trees are very densely spaced, which may obstruct views of the Sandia Mountains and the west mesa. The plan does not include landscaping of a 20' wide strip of vacant ROW on Paseo, that is not needed by NMDOT. The SDPBP partially furthers the goal and policies.

Economic Development

Goal: to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Policy II.D.6.a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

The proposed retail center will provide some new employment opportunities, although the majority are likely to be at lower salary levels. The new jobs would not be located near areas of most need in the city, although they are accessible by transit as well as by car. The dual request partially conflicts with the policy.

Policy II.D.6.g: Concentrations of employment in Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel.

The proposal increases the concentration of employment uses in the Activity Center, which furthers the policy.

Transportation and Transit

Goal: To develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

The subject site is located within a developing urban area, where the local circulation system is developing incrementally with every project that is implemented. The proposed development includes a new sidewalk on Holly and pedestrian and vehicular circulation that serves the buildings on site and connects to adjoining properties on Paseo. The dual request furthers the goal.

Policy II.D.4.a: Table 11 presents ideal policy objectives for street design, transit service, and development form consistent with Transportation Corridors and Activity Centers as shown on the Comprehensive Plan's Activity Centers and Transportation Corridors map in the Activity Centers section. Each corridor will undergo further analysis that will identify design elements, appropriate uses, transportation service, and other details of implementation.

The proposed development is adjacent to Paseo del Norte, an Express Corridor.

The policy objectives for Street Design in an **Express Corridor** that apply to the proposal include:

- ...
- Pedestrian Circulation: pedestrian connections required from development to transit stops and between adjacent developments.
- ...

A sidewalk is provided on Holly, but until the adjacent site is developed, there is no continuous sidewalk to the transit stops on Wyoming Blvd.

The applicable objectives for Development Form in an **Express Corridor** are:

- Building Access from Street: Flexible.
- Building Setback: Based on zoning ordinance.
- ...
- Parking Reductions: ...; shared parking allowed.
- Employment Density Targets for New Development: Flexible.
- ...
- Modal Hierarchy: Autos, transit, bikes, pedestrians.

The objectives are flexible. All the required parking for the development is provided off-street, including parking for disabled motorists, motorcycles and bikes. The SDPBP is consistent with the policy.

Policy II.D.4.g: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.

Pedestrian connections are provided from the development site to the adjoining shopping center and to the sidewalk on Paseo. (A future connection to the lot to the west is also provided on the site development plan for subdivision.) A new sidewalk is shown on Holly, but there is no connecting sidewalk to the east or west as these lots are undeveloped. Not all the pedestrian paths within the site are adequate in terms of width and safety. The dual request partially furthers the policy.

Community Identity and Urban Design

Goal: to preserve and enhance the natural and built characteristics, social, cultural and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods.

Policy II.C.9.d: Development projects within Community Activity Centers should contribute the following:

1. Related land uses that effectively encourage walking trips from one destination to another within the center, including shopping, schools, parks or plazas, employment, entertainment, and civic uses such as public libraries, recreation or senior centers, post office or fire station.
2. Pedestrian linkages among uses in the Activity Center and connecting to surrounding neighborhoods.
3. Buildings designed and arranged to reflect local architectural traditions, scale, height, massing and setbacks appropriate to the community served by the Activity Center and that support public transit and pedestrian activity.

The proposed restaurant and retail development may encourage walking trips with other destinations in the activity center, such as the neighboring shopping center, the park and community center. A new sidewalk on Holly would be implemented to facilitate this, but gaps in the pedestrian circulation network will remain until surrounding lots are developed. The architecture, scale, height and massing of the buildings are appropriate to the community served. However, the buildings are oriented toward Paseo rather than the rest of the Community Activity Center. The dual request partially furthers the policy.

Water Conservation/Green Principles

Water Management

Goal: Efficient water management and use.

Policy II.D.2.a: Measures shall be adopted to discourage wasteful water use, such as extensive landscape water runoff to uncultivated areas.

The landscape plan uses mostly drought-tolerant species and calls for irrigation systems that minimize water waste. The SDPBP is consistent with the policy.

Policy II.D.2.b: Maximum absorption of precipitation shall be encouraged through retention of natural arroyos and other means of runoff conservation within the context of overall water resource management.

The applicant has stated that they are considering rainwater harvesting measures, but the SDPBP does not include any. The SDPBP does not further the policy.

Energy Management

Goal: To maintain an adequate, economical supply of energy through energy management techniques and use of alternate and renewable energy sources.

Policy II.D.3a: Use of energy management techniques shall be encouraged.

The SDPBP includes some passive energy-conserving features: the development is elongated in the east-west direction; there are no windows on the north side of the structures; and porticos provide shade for three of the seven storefronts, and for most of the windows on the south and west facades of the restaurant. The SDPBP partially furthers the policy.

La Cueva Sector Development Plan (Rank III)

The La Cueva Sector Development Plan (LCSDP) was adopted in June of 2000 and revised in October of 2003 to expand the boundaries of the plan and to add some clarifying language. The general Plan boundaries are Louisiana on the west, Paseo del Norte on the south, Ventura on the east, and Florence on the north. Specific boundaries are shown in Appendix G, Exhibit 15. Note that the plan area is doughnut-shaped and that the land east of Wyoming is in the “hole” and is therefore outside the plan area.

The purpose of the plan is to suggest solutions to the barriers that have hindered sound urban development in the plan area and foster a sense of identity in this developing area. The plan establishes zoning for all lands within the plan area as shown in Appendix G, Exhibit 12 and described in Section 5.

Section 5.1 Guiding Principles regarding zoning is on page 25. Applicable principles include:

[Existing conditions]

- ...
- The plan area is intended to be urban, with a mix of residential densities and a variety of retail and service businesses to meet the needs of the area’s growing population.

- ...
- Paseo del Norte is the main east-west corridor through the plan area and provides the best opportunity for high-density, urban uses.
- The north side of the Wyoming/Paseo del Norte intersection is suitable for development as a “Community Activity Center” because of its proximity to schools, parks, trails, shopping, and public services.
- The North Albuquerque Community has identified “views” and “open space” as two valuable assets that identify the area.
- Existing development has begun to create an identity for the plan area based on architectural styles, quality of design and compatibility with the natural landscape. The community is looking to the plan to solidify this identity by requiring compatible new development.

The proposed sit-down restaurant and small retail shops can help meet the needs of the residents of the area. The site is in both the Paseo corridor and the Community Activity Center. Like much of the development in the corridor, the project faces Paseo, for maximum visibility, but can only be accessed from Holly, because Paseo has limited access. The low-rise development maintains views. The scale, colors and materials of the buildings are generally compatible with the adjoining shopping center. The dual request furthers the principles.

[Zoning principles]

- The sector plan provides for a mix of uses with pedestrian, transit, and bicycle facilities.
- ...
- SU-2 zoning is established along Alameda and Paseo del Norte where more intense land uses are desired and where existing platting and fragmented ownership pose a problem.
- Window C will provide the primary focus, identity, and sense of character for the entire plan area and will contain the most intense land uses. [see Appendix G, Exhibit 13]
- New development should contribute to the identity of this part of Albuquerque, reinforcing its relationship to the Sandia Mountains, Rio Grande Valley and the natural environment of the east mesa. A variety of design standards are prescribed to reinforce the community identity and to improve land use compatibility, street and neighborhood character, and overall community design.
- Site plan review of higher density uses is recommended to assure positive relationships between land uses.

The request would add a new type of sit-down restaurant and more retail uses to “Window C”, the block bounded by Holly, Paseo, Wyoming and Louisiana. (This block is partially developed with retail at both ends and a church and related facility in the middle.) The development on lot 20 is laid out to relate to Paseo, more than to the La Cueva community and the Sandia Mountains. However overall, the architecture of the buildings and the good

connectivity of the development to adjacent properties and streets would make a positive contribution to the community. The dual request furthers the principles.

Section 5.4 (p. 25) includes regulations for each SU-2 zone and Common Design Regulations for all SU-2 zoned properties and higher density residential development. A site development plan and landscaping plan approved by the EPC are required for all SU-2 zoned properties except residential development on lots greater than 5,000 sf.

Section 5.4.5 (p. 29) states that the intent of the SU-2/Mixed Use zoning is “to provide the community with a mix of mutually-supporting retail, service, office and residential uses. This zone promotes physically and functionally coordinated and cohesive site planning and design. It also encourages development of a high-density, active urban environment in the Community...Activity Centers.” Uses on the subject site are regulated as in the C-1 zone, with some exceptions to conditional uses that would normally be allowed in the C-1 zone and aspects of development such as height and setbacks.

Staff recommends a note on the site development plans stating that the uses shall comply at minimum with SU-2/Mixed Use zoning of the La Cueva sector development plan (Section 5.4.5).

Section 5.4.6 Common Design Regulations includes the mandatory regulations, labeled “R”, and the recommended guidelines, labeled “G” for SU-2 zoned properties and RT development in the RD zone. Applicable regulations and guidelines are:

Pedestrian Circulation.

Intent: Provide pedestrian connections through mixed-use areas and activity centers and separation between parking and pedestrian circulation.

3R-1: Sidewalks shall connect the public street sidewalks, the main entrances to all businesses, transit stops...

Complies.

3R-2: Structures and on-site circulation systems shall be designed to minimize pedestrian/vehicle conflict.

The north-south pedestrian path is not located to minimize pedestrian/vehicle conflict, because it runs through the middle of the parking area north of the restaurant. A condition is recommended to relocate it.

3R-3: Internal pedestrian walkways shall be distinguished from driving surfaces through the use of special materials such as pavers, bricks or scored concrete to enhance pedestrian safety and the attractiveness of the walkways. In parking lots, raised pathways must be provided through parking areas.

The north-south pathway and the crosswalks are both keyed to note #8, which states they are raised. However, staff believes the crosswalks are not meant to be raised, since ramps are shown leading up to the walkways around the buildings. Staff recommends clarification in a condition to clarify the design of pathways and crosswalks.

3R-4: A 15 ft. sidewalk shall be provided along the entire entry facade of all buildings. Shading shall be provided along the façade....The sidewalk should be predominantly a walkable surface...

The sidewalk along the south elevations of the buildings is less than 15 ft wide. The width ranges from approximately 7 ft at the west end of the retail building (Bldg. 1) to 12 ft at the east end of the restaurant (Bldg. 2). The ramp between the disabled parking spaces in front of Bldg. 1 further reduces the width of the level path in that area to around 3 ft.

The applicant is requesting relief from this regulation in their letter dated December 1, 2009. The EPC does not have discretion to do so, because it is mandatory. A variance would need to be obtained from the ZHE. There may be an alternative, design-based solution. In a memo to the applicant, staff had suggested possible changes in the site layout to gain space for a wider walkway, including shorter parking spaces. In addition, if landscaping is provided in the public ROW adjacent to the south property line, the 10' buffer in this location may be reduced to 5' per 14-16-3-10(E)(3) in the Zoning Code. This would allow the row of parked cars to overlap part of the public utility easement. There do not appear to be any existing or proposed utility lines in this easement other than overhead lines and two poles. Staff is seeking input from PNM to find out if the overlap would be acceptable and what the clearance requirements for power poles, etc. would be. Staff believes the Water Utility Authority should also be consulted.

In terms of shading, although the porticos shade the storefronts and windows along a portion of the south-facing façades, they are not ample enough to shade people walking along the building. Staff recommends conditions to address the deficiencies.

3R-5: The internal pedestrian circulation system is intended to provide clear, logical pathways within and between properties. The site plan shall demonstrate that a development will not impair access to adjoining properties...

The SDPS shows pedestrian cross-access to the adjoining properties on Paseo but not between the lots within the site. Staff recommends a condition to correct the omission. The SDPBP does provide this internal connection. It also provides a pedestrian connection to the adjoining shopping center, although it is not ADA-accessible due to the grade difference between the two properties. The proposed development does not impair future access to the adjoining properties on Holly.

Non-Residential Building Orientation.

Intent: Provide pleasing views to surrounding uses by providing higher quality facades at the rear and sides of new buildings.

4R-1: Buildings shall orient customer entrances and/or windows to all public spaces, including common areas, trails and streets.

The buildings comply relative to Paseo del Norte and to the public space between them.

4R-3: When the rear of a building faces any street, the building must have one of the following: design display windows and landscaping or design/details similar to a front façade and

landscaping. Loading docks and trash receptacles shall be integrated into the overall building and landscaping design as described in item 15 below.

Although the rear of the restaurant is separated from Holly by lot 13, slated for future development as part of the subdivision, it is visible from the street at the opening for the site drive. The rear of the retail building will remain visible from Holly until such time as lot 12 is developed. Design features and trellises were added to both buildings to improve compliance, but staff finds them inadequate. A condition is recommended accordingly.

4R-4: Customer entrances shall be located convenient to pedestrian walkways and bus stops.

Complies.

Architectural Character, Non-Residential Buildings.

Intent: Reduce the apparent scale and uniformity of facades to make large buildings seem more inviting.

5R-1: Multiple buildings on the same site shall be designed to create a cohesive visual relationship between buildings.

5R-2: Building design and details on all elevations shall be coordinated with regard to color, types and number of materials and architectural form to achieve harmony and continuity of design.

5R-3: Building masses shall be broken up into smaller scale components to reduce perceived...bulk and to provide visual interest consistent with the community's identity, character, and scale.

5R-4: Facades greater than 100 ft. must incorporate recessions or projections along at least 20% of the length of the façade...

5R-6: Smaller retail stores that are part of a large retail building shall have display windows. Such smaller stores are encouraged...

5R-7: Each commercial or office building shall have a clearly defined, highly visible customer entrance with features such as canopies or porticos, arcades, arches, wing wall and/or integral planters.

5R-8: No generic prototypical architecture is allowed. Design shall be contextual to its surroundings.

The buildings comply with these architectural regulations.

Open Space and Common Areas

Intent: Provide public spaces for people to meet, gather and interact.

8R-2: Every non-residential development shall contribute to the enhancement of the community and public spaces by providing amenities such as a plaza, courtyard, seating area or a pedestrian plaza with benches.

8R-3: Non-residential development shall provide public open space amenities equal to the greater of 400 sf or 4% of the building footprint. A plaza shall have a minimum depth of at least 30 feet on a portion of the plaza...

An area of approximately 23 x 55 ft is provided between the buildings that can serve as a covered, outdoor seating area for the restaurant and the remainder as a plaza for shoppers and employees. The location is protected from the prevailing west wind. The Sandia Mountains would be visible from the very north end of the seating area (see view analysis provided by the applicant). Staff recommends that the seating area and plaza be called out on the site plan and include amenities, at a minimum seating and shade.

Building Materials & Colors.

Intent: Foster community identity through the use of compatible building materials and colors.

9R-1: Predominant exterior building materials must be high quality. These materials include tinted/textured concrete masonry units or stucco...

9R-2: Façade colors must be of low-reflecting, neutral or earth tone colors....

9R-3: Dark-colored roofs contribute to higher HVAC cost and should be prohibited. Roof colors must be of low-reflecting, neutral or earth tone colors.... pitched roofs with roof tiles are preferred.

9R-4: Trim materials and colors must blend with the predominant building materials....

9R-5: All canopies and outbuildings shall be contextual and shall be of the same materials used in the general building design.

The buildings comply with these regulations, except that the material and color of the flat portions of the roof are not specified. A condition is recommended to address the omission.

Views.

Intent: Ensure that development respects the views of the Sandia Mountains to the east and the mesa to the west. This includes preserving views from out of the site and site design to take advantage of views from the site.

11R-1: Site development plans shall include a View Analysis that shall identify views into and out of the site and indicate how these views will be protected within the site.

A view analysis was provided, but it is limited to a photographic simulation of the view from the north end of the outdoor seating for the restaurant. A more complete analysis is required, as recommended in a condition.

11R-2: All utilities shall be placed underground.

A note should be added to the site development plan to confirm compliance, as recommended in a condition.

11R-3: Rooftop mechanical and electrical equipment ...shall be screened from public view...

Complies (see General Note J on site plan).

Off-Street Parking.

Intent: Provide safe vehicular parking with attention to functional and aesthetic concerns. All parking should be justified. Oversized parking lot or facilities should be discouraged.

In addition to the off-street parking regulations in the Zoning Code, the following apply:

12R-2: Parking spaces shall be distributed on the site to minimize visual impact. Parking at the rear of the site is encouraged. When parking is located at the front or sides of the site, parking areas shall be placed on at least two sides of a building. Parking areas must be broken up into modules separated by landscaping and other features.

The parking spaces are distributed around the site. However, the row of 25 parking spaces along the south facades of the buildings is not separated by landscaping or other features. Staff already recommended a condition to add 2 trees to shade the pedestrian walkway to comply with 3R-4, which will also improve compliance with this regulation.

12G-1: Parking areas should be designed to minimize local temperature gain and reduce air pollution. Potential methods of accomplishing this include light colored materials in parking lot surface areas and trees or other shading devices to shade surface area of the lot.

The number of parking lot trees complies with the Zoning Code regulation, but staff recommends a re-distribution of the trees to shade the surface area more evenly.

12G-2: Parking should be placed to encourage and facilitate parking once and walking to multiple destinations.

Complies.

Signage

Intent: Establish continuity and consistency in the design and location of public signage, so that the aesthetic appearance is improved.

In addition to the regulations of the Zoning Code, the following apply:

13R-1: All signage shall be designed to be consistent with and complement the materials, color and architectural style of the building or site.

13R-4: Where freestanding signs are allowed, all freestanding signs shall be monument signs. Height of monument signs is limited to eight (8) feet with a maximum face area of 50 square feet.

Free-standing signs are not allowed in the developing urban area on sites of less than 5 acres per C-1 zoning. A monument sign is shown on Paseo del Norte, for which the applicant is requesting a variance from the Zoning Hearing Examiner (ref. Keyed Note #10).

13R-8: The maximum individual letter size of all building-mounted signs shall be 2 feet.

13R-9: Logo designs shall not exceed two feet in height or width.

The site development plan and elevations include notes stating compliance with some or all the signage regulations of the sector plan (K and A respectively). For clarity, staff recommends

that note K also cite the signage regulations of the sector plan. In addition, the background logo for the restaurant sign exceeds 2 ft in diameter. A condition is recommended to bring it into compliance.

Lighting

Intent: Lighting design should be consistent with the North Albuquerque Acres and Sandia Heights Light Pollution Ordinance as a transition from an urban to a rural environment.

14R-2: All outdoor light fixtures shall be fully shielded and equipped with automatic timing devices.

14R-3: All outdoor light fixtures within commercial...zones shall remain off between 11:00PM and sunrise except for security purposes or to illuminate walkways, driveways,...and parking lots.

14R-4: All outdoor light fixtures used for security purposes or to illuminate walkways, driveways,...and parking lots shall be designed and operated as cutoff or semi-cutoff fixtures and shall be equipped with light and motion sensors...

14R-6: All outdoor light fixtures mounted on buildings shall be ...no more than 16 ft above finished grade.

14R-7: All outdoor light fixtures shall be designed and operated so that the area 10 feet beyond the property line of the premises receives no more than 0.25 of a foot candle of light from the premises lighting system...

Although the proposed lighting appears to comply with the preceding regulations, a reference to the La Cueva SDP regulations should be added to the SDPBP, as recommended in a condition.

Loading dock, trash collection & similar facilities

Intent: Improve overall community design by minimizing negative visual impacts.

15R-1: Loading dock, trash receptacles, utility structures and similar facilities shall be incorporated into the overall design of the building and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Screening materials ...shall be the same as the principal materials of the building and landscape.

Complies.

Landscaping

Intent: Provide a pleasant microclimate for pedestrians and increase the aesthetic appeal of a development.

16G-1: The standards of the Street Tree Ordinance and landscaping provisions of the City Zoning Code apply except that

- Trees placed along the primary pedestrian walkway must be no more than 25 ft apart
- Trees may be clustered at plaza areas or other public gathering places

The landscape design emphasizes perimeter landscaping over providing pleasant conditions for pedestrians in the interior of the site. Also, the aesthetic appeal of the development from the primary frontage on Paseo del Norte would be much improved by landscaping the strip of ROW between the sidewalk and the property line. A bare strip of land, approximately 22 ft wide, will otherwise separate the two landscaped areas. The Paseo Village shopping center east of the site was landscaped in this manner (see Fig 6 in staff photos).

The elevations show trellises on several building facades, but these are not reflected on the landscape plan. Also, the plaza area and the north-south pedestrian connection from lot 20 to the sidewalk on Holly is not shaded by trees.

The street trees on Holly Ave. should be placed between the curb and sidewalk, the preferred location stated in the Street Tree Ordinance.

Conditions are recommended to address these deficiencies.

ANALYSIS OF SITE DEVELOPMENT PLAN FOR SUBDIVISION

The submittal includes a site plan and a conceptual utility plan, and satisfies the definition of a SDP for subdivision in the Zoning Code.

The applicant proposes to create two lots out of the current three lots. New lot 13 would be smaller than the existing one. New lot 20 would include existing lots 20, 21 and a southern portion of lot 13 for a total acreage of approximately 1.4 acres. The Site Data on sheet 1 needs to include information on new lot 13 and provide the total acreage of the subdivision, as recommended in a condition. Staff estimates that the total acreage is approximately 2 acres based on the County Assessor's electronic records.

Other "clean up" conditions are also recommended to improve clarity and completeness.

The applicant clarified that Lots 20 and 21 are approximately 20' shallower than is shown on the AGIS map, presumably additional ROW was dedicated for the state highway.

Site Plan Layout / Configuration

The proposed subdivision creates a configuration for development that is compatible with the site's relationship to Paseo del Norte, Holly and opportunities for cross-access with adjoining properties.

The proposed land uses, building heights, setbacks and floor area ratio (FAR) comply with regulations in the Zoning Code and the sector plan.

Vehicular Access, Circulation and Parking

Direct access to the site is from Holly Ave. Motorists can access Holly from the west, or from the east via northbound and southbound Wyoming. However, motorists leaving the site on eastbound Holly can only turn right onto Wyoming because of the partial intersection. There is full access at the intersection of Holly and Louisiana Blvd., which is also a less busy arterial.

(Average week-day traffic flows on Wyoming Blvd. north of Paseo were 15,800 in 2007 compared to 11,300 on Louisiana per MRCOG.)

Cross-access, both internal to the subdivision and with adjoining tract A (east) and lot 22 (west), is shown on the site plan. The City Engineer requires cross-access agreements with the owners of the properties for DRB sign-off.

Pedestrian Access

Pedestrian access to the public rights-of-way and to adjoining tract A and lot 22 is shown on the site plan. Staff recommends that cross-access within the subdivision be added.

Utility Plan

The public utility easements and overhead lines should be shown on the plan, as recommended in a condition.

ANALYSIS OF SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

The applicant provided a revised submittal on December 1, 2009 and a detailed cover letter, in response to staff, department and agency comments.

Site Plan Layout / Configuration

The proposed layout is generally acceptable. The 4,000 sf restaurant and 8,288 sf retail building form a strip with parking on three sides.

Walls/Fences

No walls or fences are proposed.

Vehicular Access, Circulation and Parking

Vehicular access, circulation and parking comply with zoning regulations with a few exceptions. The City Engineer recommends conditions, including about cross-access with Tract A, and the length of disabled spaces (20 ft required).

Note that parking spaces, other than disabled spaces, can be shortened by 2 ft at curbs, because they act as wheel stops (see parking space definition in the Zoning Code).

Staff estimates that the provided parking of 94 spaces slightly exceeds requirements of the Zoning Code, because the net leasable area in the calculations seems high (only around 96% of gsf). EPC does not have discretion to approve less than the amount required in the SU-2/MU zone.

Pedestrian and Bicycle Access and Circulation, Transit Access

Pedestrian access to the site is from Holly, Paseo del Norte, and from Tract A, although this connection has stairs due to the grade difference and is not ADA accessible.

There is an existing sidewalk along the west side of Wyoming Blvd. that provides a pedestrian connection to points north and south, including Domingo Baca Park and Paseo del Norte. There

are crosswalks for Wyoming at Carmel and Paseo del Norte, but not at Holly. Bus shelters for the north and southbound services on Wyoming are just north of the intersection with Holly.

Internal walkways and connections to adjoining sites are provided, but their design is deficient in some respects, as analyzed against the La Cueva sdp beginning on p. 9 of this report. Conditions are recommended to improve compliance. In addition, the path around the freezer on the north side of the restaurant should be widened to at least 4.5 ft, or to 6 ft if the applicant intends for customers to access the plaza via this route.

Cyclists have access to the site from the southbound lane on Wyoming Blvd. Access to the northbound lane and trail is at the intersection with Carmel or Paseo. Bicycle parking is provided near the southeast corner of the restaurant and the southwest corner of the retail building.

Lighting and Security

The area lighting consists of 16 ft high lightpoles with fully shielded fixtures, located at the perimeter of the site. The applicant should clarify whether the aluminum on the detail refers to both the material and color. If so, staff would recommend a condition to have the color match building features, i.e. bronze or brown.

As recommended by the Police Department, a condition is included to ensure walkways are adequately lighted.

The Fire Department requested a 6 ft clear path along the north side of the retail building for emergency access. The applicant has asked whether it can overlap with the landscape buffer. As a solution, staff recommends that the EPC consider the addition of upright shrubs or small trees near the property line. Staff believes some vegetation is desirable, especially since the property to the north is in separate ownership and could be developed to include residential uses under the SU-2/MU zoning. This is recommended in a condition.

Landscaping

The landscape plan is comprehensive and makes good use of drought-tolerant plants, but changes have been proposed earlier in this staff report for various reasons. In addition, the following conditions are recommended for clarity and accuracy:

- Use the same symbols to identify species planted on and off-site.
- Correct plant sizes at maturity: Spanish broom (*genista hispanica*) is 4' x 4'; Turpentine bush is 3' x 4'; Blue avena is 2' x 1'; Winter jasmine is used as a vine or shrub and a size of 4' x 6' appears more accurate, based on different sources including Baker Morrow.
- Provide more information on the native seed/wildflower used on lot 13: the type of mix, lbs per square feet, and the means of irrigation to ensure germination and growth.

Public Outdoor Space

A 23' wide x 55' deep space is provided between the buildings. Part of it (13' x 28') is an outdoor seating area connected to the restaurant, covered by a portico supported by columns.

The rest is open except for a narrower portico (approx. 5' wide) along the east elevation of the retail building. Staff believes the space could be redesigned to create a more attractive whole and to better define a plaza area for shoppers and a public pathway to the rear of the buildings if appropriate. A condition to add amenities has already been recommended to improve compliance with the La Cueva sdg.

Grading, Drainage, Utility Plans

The site plan generally slopes from southeast to west per the contour lines. It will be graded similarly, with the main outfall at the southwest corner of the site. The finished floor elevations are at 5378' for the restaurant and 5375' for the retail building.

The applicant states that they are considering the addition of rainwater harvesting measures. Staff recommends a condition to add curb cuts in landscaped beds where feasible, based on comments from the City Forester.

The utility plan is acceptable, except that staff recommends the addition of the PUEs and the overhead line.

Architecture

The public facades of the retail buildings are varied and well-articulated, and include towers at corners, which mitigates the "strip" configuration of the development. The architecture, although more traditional than other commercial developments in the area, uses similar materials and compatible colors. Changes to the rear elevations were recommended earlier in the report to improve compliance with the La Cueva sdg.

The dimensions and scale on the elevations sheet should match, as recommended in a condition.

Signage

Free-standing signs are not allowed on premises under 5 acres in the Developing Urban area, per C-1 regulations. The applicant is seeking a variance from the Zoning Hearing Examiner to place one on Paseo del Norte as indicated in Keyed Note 10.

Wall signs, a form of building-mounted signs, are proposed. They comply with C-1 regulations, but as stated earlier in this report the restaurant logo does not comply with the La Cueva sdg.

CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION

Comments begin on page 34. There are significant comments from Transportation Development, the City Forester, the Police Department and PNM.

NEIGHBORHOOD/PUBLIC CONCERNS

Property-owners within 100', the North Domingo Baca and North Wyoming Neighborhood Associations (NAs) and the District 4 Coalition were notified. A facilitated meeting was declined by the NAs (see report att.) The North Domingo Baca NA supports the proposal and

the North Wyoming NA has no concerns. A resident of Holly Ave. called the staff planner to voice general concerns about development in the area. No written comments have been received and there is no known opposition to the request.

CONCLUSIONS

The dual request is consistent with a preponderance of applicable goals and policies of the Comprehensive Plan, the La Cueva sector plan and complies with regulations in the Zoning Code. It complies with most, but not all, applicable regulations of the La Cueva sector plan. A outstanding issue for the site layout is the requirement for a 15' wide sidewalk along the public facades, which is a constraint on space for vehicular circulation, parking and buffering at the front of the retail building. However, there are possible solutions--a variance from the ZHE or a design-based solution.

There is no known opposition to the project.

Staff is recommending approval of the dual request subject to conditions, in order to bring the submittal into greater compliance with city regulations, provide more clarity and correct minor errors and omissions.

FINDINGS – 09EPC-40064, December 17, 2009, Site Development Plan for Subdivision

1. The request is a site development plan for subdivision (SDPS) for lots 13, 20 and 21, Block 10, Tract 2, Unit 3, North Albuquerque Acres, a site of approximately 2 acres zoned SU-2/MU, located on Holly Ave. and Paseo del Norte, west of Wyoming Blvd. NE. The three lots would be reconfigured into two lots. The larger lot to the south would face Paseo del Norte and the smaller lot to the north would face Holly Ave, with a shared access off Holly Ave.
2. The request is accompanied by a site development plan for building permit for the new southern lot (1008069, 09EPC 40063). Future development on the northern lot is subject to EPC approval.
3. The subject site is in the Developing Urban Area of the Comprehensive Plan and within the boundaries of the La Cueva sector development plan (LCSDP). Wyoming Blvd. is an Enhanced Transit Corridor and Paseo del Norte an Express Corridor, as designated in the Comprehensive Plan. Lots 13 and 20 of the subject site are within the La Cueva Community Activity Center, designated in the Comprehensive Plan.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the La Cueva sector development plan (2000, revised 2003) and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The subject site was included in an 8-acre project covered by a TIS, dated 7/29/2004 and entitled Plaza at La Cueva, that was reviewed by City Transportation Staff.
6. Paseo del Norte (NM 423) is a principal arterial with limited access.
7. Development on the site is subject to the regulations of the SU-2/MU zone and the “Common Design Regulations for All SU-2 Zoned Properties and RT Development in the RD Zone” in the La Cueva sector development plan. Approval of a site development plan and landscape plan by the EPC is required.
8. The request furthers the following goals and policies of the Comprehensive Plan (CP) and the La Cueva sector plan (LCSDP):
 - a. The proposal will offer additional choice of restaurants and retail uses, in a moderate intensity development and in a location accessible by all modes of transport, which respects neighborhood values (Developing Urban Area Goal, policy II.B.5d)

- b. The subdivision is proposed on vacant land contiguous to existing urban facilities and service and where the integrity of existing neighborhoods can be ensured (policy II.B.5.e)
 - c. The small retail center would be located in an existing commercially zoned area (policy II.B.5.j)
 - d. Vehicular access and circulation for the development are designed to coordinate with adjoining properties and to diffuse traffic flows onto Holly Ave, which will protect the livability and safety of the residential zone to the north (policy II.B.5.k)
 - e. The proposed commercial subdivision has appropriate uses, density and access for the designated La Cueva Community Activity Center and helps encourage walking between destinations within the center (Activity Center policy II.B.7.a, Community Identity and Urban Design policy II.C.9.d)
 - f. The project will increase the concentration of employment uses in the activity center (Economic Development policy II.D.6.g)
 - g. The subdivision contributes to a balanced circulation system by providing vehicular and pedestrian access to both public rights of way and adjoining properties to the east and west (Transportation and Transit Goal and policy II.D.4.g)
 - h. The subdivision contributes a moderate intensity development containing restaurant and retail businesses to Window C of the sector plan area (LCSDP Guiding Principles)
9. The proposed restaurant and retail center will not provide employment opportunities with a wide range of occupational skills and salary levels (Economic Development policy II.D.6.a).
10. The applicant submitted a warranty deed and quitclaim as evidence of their financial interest in the subject site, which are not recorded in the County Clerk's Office. Although it is not required by the Zoning Code in the case of site development plans (as distinct from zone map amendments), Current Planning and the Assistant City Attorney advise that these documents be recorded prior to DRB sign off.
11. Conditions of approval are recommended to correct deficiencies related to cross-access and to correct minor errors and omissions.
12. Property-owners within 100 ft, the North Domingo Baca and North Wyoming Neighborhood Associations (NAs) and the District 4 Coalition were notified. A facilitated meeting was declined by the NAs and a "no meeting report" was submitted. The North Domingo Baca NA

supports the proposal and the North Wyoming NA has no concerns. No written comments have been received and there is no known opposition to the request.

RECOMMENDATION - 09EPC-40064, December 17, 2009

APPROVAL of 09EPC-40064, a Site Development Plan for Subdivision for lots 13, 20 and 21, Block 10, Tract 2, Unit 3, North Albuquerque Acres, zoned SU-2/MU, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 09EPC-40064, December 17, 2009, Site Development Plan for Subdivision

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:
Conditions of approval for the proposed Site Development Plan for Subdivision and Site Development Plan for Building Permit shall include:
 - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
 - c. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required. However, these system improvements may have already been addressed with Transportation Development as part of the original development proposal or constructed as part of the Wyoming Boulevard Widening Project. The applicant will need to verify and provide evidence that they have been addressed and/or constructed.

- d. As it stands, the current proposal is located on property that is land locked. Therefore, the applicant will need to provide appropriate cross access agreements with adjacent property owners (i.e. Tract A – Paseo Village, Lot 13, Lot 22 and Tract 9A (New Covenant Church)).
 - e. Designated disabled parking spaces need to be 20' in length.
 - f. Provide more detail, of the connection between proposed Lot 20 and Tract A – Paseo Village (i.e. paving, curb & gutter, parking, striping, etc.).
 - g. Concurrent platting action required at DRB.
 - h. Site plan shall comply and be designed per DPM Standards.
4. Add a note stating that the uses shall comply with the SU-2/Mixed Use zone (Section 5.4.5, La Cueva sector development plan 2000, revised 2003).
 5. Add information to Site Data on new lot 13 and provide the total acreage of the subdivision. Coordinate the acreage of new lot 20 between the site development plans for subdivision and building permit.
 6. In General Note B, insert “(#1008069, 09EPC-40063)” after site development plan for building permit.
 7. In General Note C, add “according to a site development plan approved by the EPC, per the La Cueva sdp (2000, rev. 2003)”.
 8. In Keyed Note 5, briefly explain why the PUE is 5 ft along internal property lines.
 9. Show pedestrian cross-access between the two proposed lots within the subdivision.
 10. Show entire site of subdivision in vicinity map.
 11. Show the public utility easements and overhead lines on the conceptual utility plan.
 12. The special warranty deed, dated January 5, 2009 and demonstrating fee simple ownership by the applicant, and the quitclaim deed, dated November 24, 2009 and deeding the subject property to the applicant, shall be recorded in the County Clerk’s Office prior to DRB sign-off.

FINDINGS – 09EPC-40064, December 17, 2009, Site Development Plan for Building Permit

1. The request is a site development plan for building permit for the southern portion of lot 13 and lots 20 and 21, Block 10, Tract 2, Unit 3, North Albuquerque Acres, a site of approximately 1.41 acres zoned SU-2/MU, located on Holly Ave. and Paseo del Norte, west of Wyoming Blvd. NE. The proposed development consists of a 4,000 sf sit-down restaurant and an 8,288 sf retail building with 7 units. Vehicular access would be off Holly Ave. through the northern portion of lot 13.
2. The request is accompanied by a site development plan for subdivision (1008069, 09EPC 40064).
3. The subject site is in the Developing Urban Area of the Comprehensive Plan and within the boundaries of the La Cueva sector development plan (LCSDP). Wyoming Blvd. is an Enhanced Transit Corridor and Paseo del Norte an Express Corridor, as designated in the Comprehensive Plan. Lots 13 and 20 of the subject site are within the La Cueva Community Activity Center, designated in the Comprehensive Plan.
4. The Albuquerque/Bernalillo County Comprehensive Plan, the La Cueva sector development plan (2000, revised 2003) and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. The subject site was included in an 8-acre project covered by a TIS, dated 7/29/2004 and entitled Plaza at La Cueva, that was reviewed by City Transportation Staff.
6. Paseo del Norte (NM 423) is a principal arterial with limited access.
7. Development on the site is subject to the regulations of the SU-2/MU zone and the “Common Design Regulations for All SU-2 Zoned Properties and RT Development in the RD Zone” in the La Cueva sector development plan. Approval of a site development plan and landscape plan by the EPC is required.
8. The request furthers the following goals and policies of the Comprehensive Plan and the La Cueva sector plan (LCSDP):
 - a. The proposal will offer the surrounding community an additional choice of restaurants and retail uses, in a moderate intensity development and in a location accessible by all modes of transport, which respects neighborhood values (Developing Urban Area Goal and policy II.B.5.d)

- b. The development is proposed on vacant land contiguous to existing urban facilities and service and where the integrity of existing neighborhoods can be ensured (policy II.B.5.e)
 - c. The small retail center would be located in an existing commercially zoned area (policy II.B.5.j)
 - d. Vehicular access and circulation for the development are designed to coordinate with adjoining properties and to diffuse traffic flows onto Holly Ave, which will protect the livability and safety of the residential zone to the north (policy II.B.5.k)
 - e. The proposed commercial development has appropriate uses, density and access for the designated La Cueva Community Activity Center and helps encourage walking between destinations within the center (Activity Center policy II.B.7.a, Community Identity and Urban Design policy II.C.9.d)
 - f. The project will increase the concentration of employment uses in the activity center (Economic Development policy II.D.6.g)
 - g. The development contributes to a balanced circulation system by providing vehicular and pedestrian access to public rights-of-way and adjoining properties to the east and west (Transportation and Transit Goal and policy II.D.4.g)
 - h. The landscape plan uses drought-tolerant plants and irrigation systems that minimize water waste (Water Management policy II.D.2.a)
 - i. The low-rise retail center is appropriately located in the Paseo del Norte corridor and will maintain views. The proposed uses, architecture and good connectivity of the development with adjacent streets and properties will make a positive contribution to the La Cueva area (LCSDP Guiding Principles).
9. The proposal partially furthers the following policies of the Comprehensive Plan:
- a. The site design and architectural style are not innovative, but the buildings are well-articulated and use colors and materials that are appropriate to the area (policies II.B.5.l)
 - b. The one-story buildings maintain vistas from surrounding streets and properties. The facades visible from the arterial are attractive, but those facing Holly lack visual interest (policy II.B.5.m)
 - c. The landscape plan uses several native species, controls erosion and dust on the future pad site, but does not landscape the adjacent strip of unneeded ROW on Paseo (Developed Landscape policy II.C.8.d)

- d. Street trees are provided but are very densely spaced , which may obstruct views of the Sandia Mountains and the west mesa. (policy II.C.8.a)
 - e. Pedestrian connections are provided within the site and to adjoining sidewalks and properties, but some are deficient in terms of width and safety. (Transportation policy II.D.4.g)
10. The proposal does not include any rainwater harvesting measures which conflicts with Water Management policy II.D.2.b.
11. The applicant submitted a warranty deed and quitclaim as evidence of their financial interest in the subject site, which are not recorded in the County Clerk’s Office. Although it is not required by the Zoning Code in the case of site development plans (as distinct from zone map amendments), Current Planning and the Assistant City Attorney advise that these documents be recorded prior to DRB sign off.
12. Conditions of approval are recommended to improve compliance with the regulations of the La Cueva sector development, to provide more clarity and correct errors and omissions. A significant outstanding issue for the site layout is the requirement for a 15’ wide sidewalk along the public facades, which is a constraint on space for vehicular circulation, parking and buffering at the front of the retail building.
13. Property-owners within 100 ft, the North Domingo Baca and North Wyoming Neighborhood Associations (NAs) and the District 4 Coalition were notified. A facilitated meeting was declined by the NAs and a “no meeting report” was submitted. The North Domingo Baca NA supports the proposal and the North Wyoming NA has no concerns. No written comments have been received and there is no known opposition to the request.

RECOMMENDATION - 09EPC-40064, December 17, 2009

APPROVAL of 09EPC-40064, a Site Development Plan for Building Permit for lots 13, 20 and 21, Block 10, Tract 2, Unit 3, North Albuquerque Acres, zoned SU-2/MU, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 09EPC-40064, December 17, 2009, Site Development Plan for Building Permit

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Add a note stating that the uses shall comply at minimum with SU-2/Mixed Use zoning (Section 5.4.5, La Cueva sector development plan 2000, revised 2003).
4. RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval for the proposed Site Development Plan for Subdivision and Site Development Plan for Building Permit shall include:
 - a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
 - b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
 - c. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required. However, these system improvements may have already been addressed with Transportation Development as part of the original development proposal or constructed as part of the Wyoming Boulevard Widening Project. The applicant will need to verify and provide evidence that they have been addressed and/or constructed.
 - d. As it stands, the current proposal is located on property that is land locked. Therefore, the applicant will need to provide appropriate cross access agreements with adjacent property owners (i.e. Tract A – Paseo Village, Lot 13, Lot 22 and Tract 9A (New Covenant Church)).
 - e. Designated disabled parking spaces need to be 20' in length.
 - f. Provide more detail, of the connection between proposed Lot 20 and Tract A – Paseo Village (i.e. paving, curb & gutter, parking, striping, etc.).
 - g. Concurrent platting action required at DRB.
 - h. Site plan shall comply and be designed per DPM Standards.

5. Complete the view analysis to include views into the site and additional views out of the site, per Regulation 11R-1 of the La Cueva sdp.
6. Refuse enclosure:
 - a. Add “and Recycling” to title of detail.
 - b. Improve legibility of text on detail of refuse enclosure.
7. Pedestrian access/circulation:
 - a. Relocate the raised pathway currently in the middle of the parking area north of the restaurant to provide a safer and more pleasant pedestrian connection between the development, lot 13 and the sidewalk on Holly. Clarify how it will be designed to allow motorists to drive over it.
 - b. Crosswalks across site drives, as distinct from pathways, shall not be raised. Other information in keyed note 8 shall remain the same.
 - c. Increase the width of the walkway along the south facades to 15 ft to comply with Regulation 3R-4 in the La Cueva SDP. A minimum clear, level path of 6 ft shall be maintained at ramps.
 - d. Provide a minimum clear path of 4.5 ft under porticos between the supporting columns and the facades of the buildings.
 - e. Provide additional shade for pedestrians per Regulation 3R-4 in the La Cueva SDP, such as by planting one shade tree at the southern edge of the walkway along Building 1 between the storefronts of units 3 and 4 (without porticos); and one shade tree at the southern edge of the walkway between Buildings 1 and 2.
 - f. Widen pedestrian path around freezer on north side of restaurant.
8. Lighting
 - a. On sheet 1, add a reference to the lighting regulations of the La Cueva sdp in General Note E.
 - b. Add lights to better cover all walkways. Lighting may be in the form of lightpoles or bollards as appropriate.
9. Landscaping:

- a. Place street trees on Holly between the curb and the sidewalk, as per the Street Tree Ordinance. Adjust spacing to accord with the spread of each species at maturity, e.g. 45' is acceptable for Bur Oak (75% of mature spread).
- b. Landscape the strip of public ROW on Paseo del Norte between the sidewalk and the property line with drought-tolerant species. Relocate street trees from 10' buffer within the site to this area. Reduce the number of street trees to reflect their spread at maturity and any existing street trees between the curb and sidewalk. Provide required clearance for overhead lines.
- c. 5 ft. of the required landscape buffer on Paseo del Norte may be within the right-of-way.
- d. Redistribute parking lot trees to shade the surface area of parking lot more evenly and to take advantage of opportunities for rainwater harvesting via curb cuts.
- e. Add planters/beds and plants for the trellises shown on the elevations sheet. Use evergreen vines for trellises on the rear elevations of the restaurant.
- f. Add upright shrubs or small trees (minimum 1/3 to be evergreen) in the landscape buffer along the north side of Building 1. Keep a pathway clear along the rear of the building for fire access.
- g. Label the overhead utility line and poles on the Paseo del Norte frontage.
- h. Use the same symbols to identify species planted on and off-site.
- i. Correct plant sizes at maturity: Spanish broom (*genista hispanica*) is 4' x 4'; Turpentine bush is 3' x 4'; Blue avena is 2' x 1'; Winter jasmine is 4' x 6'.
- j. Provide more information on the native seed/wildflower used on lot 13: the type of mix, lbs per square feet, and the means of irrigation to ensure germination and growth. Adjust calculations according to above changes.

10. Public outdoor space:

- a. Define a plaza area for shoppers in the space between Buildings 1 and 2 with at minimum seating, shade structures and/or landscaping.
- b. Define a pathway to the rear of the restaurant, if appropriate.
- c. Provide the total square footage and identify the different parts of the space on the site development plan to demonstrate compliance with LCSDP design standard 8R-3.

11. Grading & Drainage: Add curb cuts in landscaped beds, where appropriate, to utilize stormwater and reduce irrigation needs while improving tree and plant health. Also show them on the site development plan and landscape plan.

12. Add a note to the site development plan stating that all utilities shall be placed underground per 11R-2 of the La Cueva SDP.

13. Conditions from PNM

- It is the applicant's obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements or agreements.
- It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet prior to DRB review. PNM's standard for public utility easements for distribution is 10 feet in width to ensure adequate, safe clearances.
- Screening should be designed to allow for access to utility facilities. It is necessary to provide adequate clearance surrounding all ground-mounted utilities for safe operation, maintenance and repair purposes: ten feet in front of the door and five feet on other sides.
- Existing electric distribution infrastructure is located in the area of the site. It is necessary for the applicant to coordinate with PNM's New Service Delivery Department regarding proposed tree species, tree placement and height at maturity, sign location and height, and lighting height in order to ensure sufficient safety clearances and to avoid interference with the existing distribution facilities along Paseo del Norte and the southern boundary of the site.

14. Architecture/Elevations

- a. Add a minimum of one window and/or customer entrance on the north elevation of the restaurant and add evergreen vegetation for the trellis. Remove recessed facades. Add brick wainscot to freezer, if possible.
- b. On the north elevation of Building 1, move awnings over service doors to make them functional, replace recessed facades with a more attractive architectural variation. Remove trellises against wall to ensure clear path for fire access.
- c. The flat portion of the roof shall be an energy-efficient color and material, per Regulation 9R-3 of the La Cueva SDP, and shall be indicated in a note on the elevations sheet.

- d. Improve legibility of notes on elevations.
- e. The dimensions and scale on the elevations shall match.

15. Signage:

- a. General Note K on sheet 1 shall also cite the signage regulations of the La Cueva SDP.
 - b. Add a note to sheet 1 stating that the total sign face area of wall-mounted signs shall not exceed 10% of the total façade area.
 - c. The logo background of the restaurant wall signs shall comply with 13R-9 of the La Cueva SDP.
 - d. The free-standing sign shown on the site development plan is not allowed unless a variance is obtained from the ZHE.
16. The special warranty deed, dated January 5, 2009, that demonstrates fee simple ownership by the applicant and the quitclaim deed, dated November 24, 2009, deeding the subject property to the applicant shall be recorded in the County Clerk's Office, before the site development plan is signed off by the DRB.
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Carol Toffaleti
Planner

cc: Resolution Equities, LLC, 8220 San Pedro NE, Suite 500, Albuquerque, NM 87113
Joshua Skarsgard, 8220 San Pedro NE, Suite 500, Albuquerque, NM 87113
Judie Pellegrino, North Domingo Baca N.A., 8515 Murrelet NE, Albuquerque, NM 87113
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Amy Wasko, North Wyoming N.A., 7808 Callow NE, Albuquerque, NM 87109
Nanci Carriveau, North Wyoming N.A., 8309 Krim Dr. NE, Albuquerque, NM 87109
Amy Whitling, District 4 Coalition of N.A.'s, P.O. Box 91343, Albuquerque, NM 87199
Bambi Folk, District 4 Coalition of N.A.'s, 6617 Esther NE, Albuquerque, NM 87109

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

No comments received

Office of Neighborhood Coordination

North Domingo Baca NA (R)

North Wyoming NA (R)

District 4 Coalition of NA's

11/9/09 – Recommended for facilitation – siw

11/9/09 – Assigned to Stefanie Beninato – sdb

A facilitated meeting is in the process of being set up – siw

[staff planner: offer declined by NAs, see no meeting report]

Long Range Planning

No comments received

CITY ENGINEER

Transportation Development Services REVISED 12/9/09

- All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
- The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
- A Traffic Impact Study (TIS) has been submitted and reviewed by Transportation Staff.
- Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required. However, these system improvements may have already been addressed with Transportation Development as part of the original development proposal or constructed as part of the Wyoming Boulevard Widening Project. The applicant will need to verify and provide evidence that they have been addressed and/or constructed.
- The Traffic Impact Study is available for review by any interested party, in the office of the Traffic Engineer.
- As it stands, the current proposal is located on property that is land locked. Therefore, the applicant will need to provide appropriate cross access agreements with adjacent property owners (i.e. Tract A – Paseo Village, Lot 13, Lot 22 and Tract 9A (New Covenant Church)).
- Designated disabled parking spaces need to be 20' in length.
- Provide more detail of the connection between proposed Lot 20 and Tract A – Paseo Village (i.e. paving, curb & gutter, parking, striping, etc.).
- Note – the conceptual site utility plan does not match the proposed Site Development Plan for Subdivision or the proposed Site Development Plan for Building Permit.

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- Concurrent platting action required at DRB.
 - Site plan shall comply and be designed per DPM Standards.

Hydrology

- The Hydrology Section has no adverse comments on the site plan. Prior to DRB, a conceptual grading and drainage plan must be submitted to Hydrology to determine what, if any, infrastructure requirements are warranted.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

- Reviewed, and no comments regarding on-street bikeways, off-street trails or roadway system facilities.

Traffic Engineering Operations

No comments received.

Street Maintenance

- No comments received.

New Mexico Department of Transportation (NMDOT):

- No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT and NMDOT:

Conditions of approval for the proposed Site Development Plan for Subdivision and Site Development Plan for Building Permit shall include:

- a. All the requirements of previous actions taken by the EPC and/or the DRB must be completed and /or provided for.
- b. The Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed site development plan, as may be required by the Development Review Board (DRB).
- c. Per Transportation Development Staff, completion of the required system improvements that are attributable to the development, as identified in the TIS, is required. However, these system improvements may have already been addressed with Transportation Development as part of the original development proposal or constructed as part of the Wyoming Boulevard Widening Project. The applicant will need to verify and provide evidence that they have been addressed and/or constructed.
- d. As it stands, the current proposal is located on property that is land locked. Therefore, the applicant will need to provide appropriate cross access agreements with adjacent property owners (i.e. Tract A – Paseo Village, Lot 13, Lot 22 and Tract 9A (New Covenant Church)).
- e. Designated disabled parking spaces need to be 20' in length.

- f. Provide more detail, of the connection between proposed Lot 20 and Tract A – Paseo Village (i.e. paving, curb & gutter, parking, striping, etc.).
- g. Concurrent platting action required at DRB.
- h. Site plan shall comply and be designed per DPM Standards.

WATER UTILITY AUTHORITY

Utility Services

No comments received

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

No comments received

Environmental Services Division

No comments received

PARKS AND RECREATION

Planning and Design

No comments received

Open Space Division

Open Space has no adverse comments

City Forester

- Adjust planting detail to read “The root collar should be exposed and that should be level of final grade.”
- The continuous planting beds along the south and east appear to be ideal spots to gather Stormwater and reduce irrigations needs while improving tree and plant health

POLICE DEPARTMENT/Planning

- Nearest Police Station – John Carrillo Northeast Substation, 8201 Osuna Rd. NE, area between I-25 & Eubank, north of I-40.
- Proposed lighting along the outer portion of the parking lot appears to be in direct conflict with proposed large tree plantings which will diminish the effectiveness of the lights. Recommend reducing the number of trees along each line to increase illumination of the parking lots.
- Suggest adding additional lights to better cover all walkways, parking lots, building entrances and maintenance areas.

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- All bush variety of landscaping should be low-level variety and not obstruct visibility.
 - Recommend installing video cameras in and around the property. Coverage should include all parking areas, vehicular entrances, walkways rear of the facility and inside the building entrance.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

No comments received

FIRE DEPARTMENT/Planning

No comments received

TRANSIT DEPARTMENT

Adjacent and nearby routes	Nearest bus routes are Route #31, Wyoming route, and Route #98, Peak hour Wyoming routes which pass near the site on Wyoming in the southbound direction. The bus route is approximately 300' east from the Northeast corner of the property.
Adjacent bus stops	There are 2 bus stops located approximately 400' east from the northeast corner of the property, serving the #31 and #98 routes in both the northbound and southbound direction.
Site plan requirements	None, since there is already a bus shelter serving the southbound route.
Large site TDM suggestions	N/A
Other information	None.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No comments received

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

This will have no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

No comments received

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

No comments received

PUBLIC SERVICE COMPANY OF NEW MEXICO

- As a condition, it is the applicant's obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements or agreements.
- As a condition, it is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Any existing or proposed public utility easements are to be indicated on the site plan utility sheet prior to DRB review. PNM's standard for public utility easements for distribution is 10 feet in width to ensure adequate, safe clearances.
- Screening should be designed to allow for access to utility facilities. As a condition, it is necessary to provide adequate clearance of ten feet surrounding all ground-mounted utilities for safe operation, maintenance and repair purposes.
- Existing electric distribution infrastructure is located in the area of the site. As a condition, it is necessary for the applicant to coordinate with PNM's New Service Delivery Department regarding proposed tree species, tree placement and height at maturity, sign location and height, and lighting height in order to ensure sufficient safety clearances and to avoid interference with the existing distribution facilities along Paseo del Norte and the southern boundary of the site. The larger the tree, the farther it should be from a power line. As a rule of thumb, small variety trees – those under 25 feet high at maturity – should be 15 feet from power lines. Medium variety trees should be at least 30 feet away and large trees should be 40 feet from power lines. Trees that grow into or near distribution lines will be trimmed back to prevent any growth into the lines for a minimum of three years. PNM's standard is for trees to be planted outside the PNM easement.